IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 6TH FEBRUARY 2007 / 17TH MAGHA 1928

WP(C).No. 29630 of 2006(B)

PETITIONER:

K.T.SUBAIDA, D/O. USMAN HAJI,
UNNIKANDI PARAMBA HOUSE, KALLAI P.O.,
KOZHIKODE-3.

BY ADV. SRI.JOHN JOSEPH(ROY)

RESPONDENTS:

CALICUT CO-OPERATIVE URBAN BANK LTD.
NO.1538, KALLAI ROAD, KOZHIKODE,
REPRESENTED BY THE AUTHORISED OFFICER,
THE GENERAL MANAGER.

BY ADV. SRI.M.ASOKAN
SRI.DEVAPRASANTH.P.J. FOR R1

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C).29630/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1- TRUE COPY OF THE NOTICE DATED 24.2.2006 PUBLISHED BY THE RESPONDENT

EXT.P2- TRUE COPY OF THE NOTICE ISSUED BY THE RESPONDENT DATED 15.9.06 REGARDING THE SALE OF THE PROPERTY

EXT.P3- TRUE COPY OF THE PETITION FILED BY THE PETITIONER BEFORE THE RESPONDENT DATED 10.10.06

(TRUE COPY)

P.A TO JUDGE

J.M.JAMES, J.

W.P.(C). 29630/2006

Dated this the 6th day of February, 2007

JUDGMENT

The writ petitioner was proceeded against for the realisation of the amount due from her, by the respondent, Co-operative Urban Bank, as she defaulted the payment of the loan. The petitioner is before this Court to quash the notice of possession of the property, issued by the Authorized Officer of the respondent.

2. The learned counsel appearing for the writ petitioner submits that the One Time Settlement facilities may be extended to the petitioner.

3. However, the counsel for the respondent submits that being the Urban Co-operative Bank, there is no One Time Settlement facilities available, as in the case of other Societies. Further he submits that all the available facilities, as per the Bank's own Settlement Scheme, in accordance with the Reserve Bank of India's directions, may be extended to the petitioner.

4. In the above facts situation, I direct the writ petitioner to file a representation before the respondent, Co-operative Urban Bank, within ten days from today and on receipt of the same, the respondent shall extend all the facilities of relaxation of the interest that should be levied on the loan amount, depending upon the directions of Reserve Bank of India. The instalment facilities shall also be extended to the petitioner, after hearing her.

The writ petition is disposed of as above.

J.M.JAMES
JUDGE

mrcs